

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

**IN RE: FLUIDMASTER, INC., WATER
CONNECTOR COMPONENTS
PRODUCTS LIABILITY LITIGATION**

Case Nos. 1:14-cv-05696
1:14-cv-10250

MDL No. 2575

Hon Robert M. Dow, Jr.

This Document Relates to:

Rensel, et al. v. Fluidmaster, Inc., No. 14-cv-000648 (C.D. Cal.);

Sullivan, et al. v. Fluidmaster, Inc., No. 1:14-cv-05696 (N.D. Ill.);

Hardwick v. Fluidmaster, Inc., No. 1:14-cv-00363 (D.N.H.);

Hungerman, et al. v. Fluidmaster, Inc., No. 2:14-cv-00994 (W.D. Pa.);

Wyble v. Fluidmaster, Inc., No. 14-cv-01826 (D. Ariz.);

Larson v. Fluidmaster, Inc., No. 1:14-cv-10222-JWD (N.D. Ill.);

**UNOPPOSED MOTION FOR EXTENSION OF TIME AND PAGE LIMITATIONS FOR
REPLY BRIEF IN SUPPORT OF COMMON BENEFIT FUND MOTION**

Plaintiffs' Court-appointed Interim Co-Lead Counsel, Liaison Counsel,¹ and plaintiffs' counsel ("Class Counsel"), on behalf of themselves and other plaintiffs' counsel in the other pending class cases consolidated before this Court, who actively have assisted in prosecuting this centralized multidistrict litigation ("MDL"), respectfully submit this unopposed motion for an

¹ Pursuant to the Court's Order dated June 25, 2015 (Dkt. No. 113), the Court appointed Shanon J. Carson and Glen L. Abramson of Berger & Montague, P.C., and Simon Paris and Patrick Howard of Saltz, Mongeluzzi, Barrett & Bendesky as Interim Co-Lead Counsel, and Edward A. Wallace of Wexler Wallace LLP as Interim Liaison Counsel.

extension of time in which to file an omnibus reply and for an extension of page limitations to respond to briefs submitted by State Farm (MDL Dkt. No. 42), American Select (MDL Dkt. No. 38) and Fluidmaster, Inc. (“Fluidmaster”) (MDL Dkt. No. 40) concerning Plaintiffs’ proposed common benefit fund. In support thereof, Plaintiffs state:

1. Plaintiffs filed a motion for the establishment of a Common Benefit Fund on August 25, 2015.
2. On August 27, 2015, this Court set a briefing schedule, providing that parties opposing Plaintiffs’ motion would have until September 30, 2015, to respond to the motion, and that Plaintiffs would submit a reply brief by October 14, 2015 (Dkt. No. 142).
3. Three parties opposed Plaintiffs’ motion: State Farm, American Select, and Fluidmaster.
4. Because some of the arguments made in the State Farm, American Select, and Fluidmaster briefs overlap, and bearing in mind the Court’s previous request for efficiency, Plaintiffs intend to file one omnibus brief responding to the arguments. In order to sufficiently address the arguments and representations made in those briefs, however, Plaintiffs would request additional time in which to file their reply, or, alternatively, in which to potentially reach an agreement with the subrogating plaintiffs regarding a common benefit fund. Plaintiffs also request an extension of page limits to adequately respond to the arguments contained in the three parties’ briefs.
5. Accordingly, Plaintiffs would request an extension of the deadline in which to file their reply brief, up to and including October 28, 2015, and an extension of the page limits, up to and including 25 pages, in order to respond to the arguments in the briefs.
6. This extension is sought in good faith and not for the purposes of delay. The

attorneys for State Farm, American Select, and Fluidmaster do not object to Plaintiffs' request for an extension.

WHEREFORE, Plaintiffs respectfully request that the Court grant their motion for an extension of time up to and including October 28, 2015 in which to file their reply in support of their motion for the establishment of a common benefit fund, and for an extension of the page limits up to and including 25 pages in which to make the arguments in their reply brief.

Dated: October 9, 2015

Respectfully submitted,

By: /s/ Edward A. Wallace

Edward A. Wallace

Interim Liaison Counsel

Amy E. Keller

WEXLER WALLACE LLP

55 West Monroe Street, Suite 3300

Chicago, Illinois 60603

T: (312) 346-2222

F: (312) 346-0022

E: eaw@wexlerwallace.com

aek@wexlerwallace.com

Eric L. Cramer

Shanon J. Carson

Interim Co-Lead Counsel

Lawrence Deutsch

Glen L. Abramson

Interim Co-Lead Counsel

BERGER & MONTAGUE, P.C.

1622 Locust Street

Philadelphia, PA 19103

T: (215) 875-3000

F: (215) 875-4604

E: ecramer@bm.net

scarson@bm.net

ldeutsch@bm.net

gabramson@bm.net

Simon Bahne Paris

Interim Co-Lead Counsel

Patrick Howard

Interim Co-Lead Counsel

Charles J. Kocher

**SALTZ, MONGELUZZI, BARRETT &
BENDESKY, P.C.**

One Liberty Place, 52nd Floor

1650 Market Street

Philadelphia, PA 19103

T: (215) 575-3986

E: sparis@smbb.com

phoward@smbb.com

ckocher@smbb.com

Gregory F. Coleman

Lisa A. White

GREG COLEMAN LAW PC

Bank of America Center

550 Main Avenue, Suite 600

Knoxville, TN 37902

T: (865) 247-0080

F: (865) 522-0049

E: greg@gregcolemanlaw.com

lisa@gregcolemanlaw.com

Daniel J. Kurowski

**HAGENS BERMAN SOBOL SHAPIRO
LLP**

1144 W. Lake Street

Suite 400

Oak Park, IL 60301

T: (708) 628-4949

F: (708) 628-4950

E: dank@hbsslaw.com

Anthony D. Shapiro

Jeniphr Breckenridge

**HAGENS BERMAN SOBOL SHAPIRO
LLP**

1918 Eighth Avenue, Suite 3300

Seattle, WA 98101

T: (206) 623-7292

F: (206) 623-0594

E: tony@hbsslaw.com

jeniphr@hbsslaw.com

Daniel E. Gustafson
Amanda M. Williams
Raina C. Borrelli
GUSTAFSON GLUEK PLLC
Canadian Pacific Plaza
120 South Sixth Street #2600
Minneapolis, MN 55402
T: (612) 333-8844
E: dgustafson@gustafsongluek.com
awilliams@gustafsongluek.com
rborrelli@gustafsongluek.com

Joseph J. Tabacco, Jr.
Todd A. Seaver
BERMAN DEVALERIO
One California Street, Suite 900
San Francisco, CA 94111
T: (415) 433-3200
F: (415) 433-6282
E: jtabacco@bermandevalerio.com
tseaver@bermandevalerio.com

Ria C. Momblanco
FINE, KAPLAN AND BLACK, P.C.
One South Broad St., 23rd Floor
Philadelphia, PA 19107
T: (215) 567-6565
F: (215) 568-5872
E: dperelman@finekaplan.com
gdever@finekaplan.com
rmomblanco@finekaplan.com

*Counsel for Plaintiffs and the Putative
Classes*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed using this Court's CM/ECF service, which will send notification of such filing to all counsel of record registered to receive ECF notifications in the following cases:

No. 1:14-cv-05696

No. 1:14-cv-10250

this 9th day of October 2015.

/s/ Edward A. Wallace

Edward A. Wallace